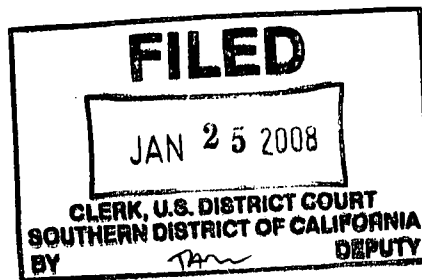


*for
AUSA*



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,

v.

Carlos SAAVEDRA-Vasquez (1),
Luis Humberto RIVERA-Diaz (2),
Defendants.

Magistrate Case No.: '08 MJ 8065
COMPLAINT FOR VIOLATION OF
Title 8, U.S.C. § 1324(a)(1)(A)(ii)
Illegal Transportation of Alien
and Title 18, U.S.C. § 2, Aiding & Abetting

The undersigned complainant being duly sworn states:

On or about January 23, 2008, within the Southern District of California, defendants Carlos SAAVEDRA-Vasquez and Luis Humberto RIVERA-Diaz, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, namely, Nuria Cristina RAMIREZ, Salvador RAMIREZ-Olivera and Rosalio OLIVERA-Vasquez, had come to, entered and remained in the United States in violation of law, did transport and move, and attempt to transport and move, said aliens within the United States in furtherance of such violation of law; in violation of Title 8, United States Code, Section 1324(a)(1)(A)(ii) and Title 18, United States Code, Section 2.

And the complainant states that this complaint is based on the attached Statement of Facts, which is incorporated herein by reference.


Senior Border Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 25TH DAY OF
JANUARY 2008.


PETER C. LEWIS
U. S. Magistrate Judge

1 UNITED STATES OF AMERICA

2 v.

3 Carlos SAAVEDRA-Vasquez (1)

4 Luis Humberto RIVERA-Diaz (2)

5 STATEMENT OF FACTS

6 The complainant states that this complaint is based upon statements in the investigative
7 reports by the apprehending U.S. Border Patrol Agent M. Harrington that on January 23, 2008,
8 Carlos SAAVEDRA-Vasquez and Luis Humberto RIVERA-Diaz, natives and citizens of Mexico
9 were apprehended near Calexico, California, along with seven (7) other undocumented aliens
10 from Mexico, in violation of law.

11 On January 23, 2008, at approximately 11:40 A.M. Agent Harrington observed eight (8)
12 suspected illegal aliens running north towards Highway 98, east of Vencil Road. This area is
13 located 8.5 mile east of the Calexico Port of Entry.

14 Using binoculars, Agent Harrington was able to see one individual, later identified as Luis
15 Humberto RIVERA-Diaz, in the front of the group and signaling to them as the group traveled
16 north from the border area. Upon reaching the road the group hid along side the road.

17 A white Ford Expedition arrived and stopped to pick up the group of suspected illegal
18 aliens. Agent Harrington observed RIVERA stand up to meet the Ford. Agents Harrington and
19 Vega-Torres observed the group board the Ford and drive away.

20 Using the emergency lights and siren on his Border Patrol vehicle, Agent Vega-Torres
21 attempted to stop the Ford. The driver, later identified as Carlos SAAVEDRA-Vasquez, failed to
22 yield to Agent Vega-Torres. After traveling approximately a half mile, SAAVEDRA finally
23 stopped the Ford.

24 Agent Vega-Torres approached SAAVEDRA, who was still seated in the driver's seat
25 behind the steering wheel. Agent Vega-Torres questioned and determined SAAVEDRA is a citizen
26 of Mexico illegally in the United States. Agent Hernandez questioned and determined the other
27 occupants of the vehicle all to be citizens of countries other than the United States.

28 SBPA Atilas read SAAVEDRA his rights per Miranda. SAAVEDRA stated he made
29 arrangements with a smuggler in Mexico to drive a vehicle in lieu of paying the \$3,000.00

1 smuggling fee. SAAVEDRA stated the smuggler told him where to go and pick up the illegal
2 aliens.

3 SBPA Atilas read RIVERA his rights per Miranda. RIVERA admitted to guiding seven
4 undocumented aliens into the United States. RIVERA stated he was going to get paid \$200.00 per
5 person which he successfully smuggled. RIVERA stated he has guided groups on ten separate
6 occasions. RIVERA stated he was talking to the driver of the Ford via radio, SAAVEDRA, to let
7 him know the group was ready to be picked up.

8 Material Witness Nuria Cristina RAMIREZ stated she is a citizen of El Salvador illegally in
9 the United States. Salvador RAMIREZ-Olivera and Rosalio OLIVERA-Vasquez both stated they
10 are citizens of Mexico illegally in the United States. Nuria Cristina RAMIREZ, Salvador
11 RAMIREZ-Olivera and Rosalio OLIVERA-Vasquez stated their arrangements were made with a
12 smuggler in Mexico to pay \$2,000.00 to \$2,200.00 to be smuggled illegally into the United States.

13 N. RAMIREZ, S. RAMIREZ and OLIVERA were shown a photo line up and identified
14 photo number one, SAAVEDRA, as the driver of the white Ford Expedition. N. RAMIREZ, S.
15 RAMIREZ and OLIVERA were shown a photo line up and identified photo number two,
16 RIVERA, as the smuggler who guided the group into the United States.

17 The complainant states that the names of the Material Witnesses are as follows:

<u>NAME</u>	<u>PLACE OF BIRTH</u>
Nuria Cristina RAMIREZ	El Salvador
Salvador RAMIREZ-Olivera	Mexico
Rosalio OLIVERA-Vasquez	Mexico

23
24 Further, complainant states that Nuria Cristina RAMIREZ, Salvador RAMIREZ-Olivera
25 and Rosalio OLIVERA-Vasquez are citizens of a country other than the United States; that said
26 aliens have admitted that they are deportable; that their testimony is material, that it is
27 impracticable to secure their attendance at the trial by subpoena; and they are material witnesses
28 in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18,
29 United States Code, Section 3144.